



COUNTY OF LOS ANGELES
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October 6, 2016

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TO: LORI GLASGOW
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Board of Supervisors

Attention: Agenda Preparation

FROM: JENNIFER A.D. LEHMAN *JAL*
Assistant County Counsel
Law Enforcement Services Division

RE: **Item for the Board of Supervisor's Agenda**
County Contract Cities Liability Trust Fund
Claims Board Recommendation
Marlene P., et al. v. County of Los Angeles, et al.
United States District Court Case No. 2:15-CV-06497
Bernardita Maldonado Gomez, et al. v. County of Los Angeles, et al.
United States District Court Case No. 2:15-CV-06576

Attached is the Agenda entry for the Los Angeles County Contract Cities Liability Trust Fund Claims Board's recommendation in the above-referenced matter. Also attached is the Case Summary for the case.

It is requested that this recommendation and the Case Summary be placed on the Board of Supervisors' agenda.

JADL:sz

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Contract Cities Liability Trust Fund Claims Board's recommendation: Authorize settlement of the matters entitled Marlene P., et al. v. County of Los Angeles, et al., United States District Court Case No. 2:15-CV-06497; and Bernardita Maldonado Gomez, et al. v. County of Los Angeles, et al., United States District Court Case No. 2:15-CV-06576, in the amount of \$2,750,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department Contract Cities Trust Fund's budget.

This lawsuit concerns allegations of wrongful death and federal civil rights violations by Sheriff's Deputies.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Marlene P., et al. v. County of Los Angeles, et al., and Bernardita Maldonado Gomez, et al. v. County of Los Angeles, et al.
CASE NUMBER	2:15-CV-06497 and 2:15-CV-06576
COURT	United States District Court
DATE FILED	March 13, 2015 (Marlene P.) August 28, 2015 (Bernardita Maldonado Gomez)
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 2,750,000
ATTORNEY FOR PLAINTIFF	Arnoldo Casillas, Esq. Casillas, Moreno & Associates Humberto M. Guizar, Esq. Law Offices of Humberto M. Guizar
COUNTY COUNSEL ATTORNEY	Millicent L. Rolon Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$2,750,000, inclusive of attorneys' fees and costs, two Sheriff's Department Contract Cities civil rights lawsuits filed by Salvador Palencia's two minor children, Marlene P. and Diego P., by and through their guardian ad litem, Irma Hernandez; Mr. Palencia's wife, Bernardita Maldonado Gomez, and adult child, Rubi Palencia, alleging wrongful death and excessive force.</p> <p>The Deputies claim their actions were reasonable under the circumstances.</p> <p>Due to the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. Therefore, a full and final settlement of the case in the amount of \$2,750,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 141,446
PAID COSTS, TO DATE	\$ 33,125